

REMARKS

Claims 3-6, 9-12, and 15-19 directed to a ball bearing stand allowed in substance. In order to advance prosecution, applicant has amended the claims as set forth above rather than cancel the previously rejected claims. Claims 14 and 15 are incorporated in amended claim 13 and thus are cancelled.

Please note that applicant states at the end of the original specification that:

"Because other embodiments of the invention may occur to the worker in the art, the scope of the invention is to be restricted solely to the terms of the following claims and art recognized equivalents thereto. For example a bearing such as a roller bearing or freely rotatable lubricated sleeve or spool bearing of a polymeric material having good lubricity, surrounding the spindle, may be employed within the spirit of the invention; see patent 4,895,547 to Amaral."

However, due to the recently introduced apparent change in the law: "Dedication to the Public Doctrine", a patent applicant who discloses specific [e.g. substantially frictionless bearings] subject matter as in the above paragraph, must claim it; else it is dedicated to the public, notwithstanding the doctrine of equivalence. Please see the Journal of the Patent Office Society, November 2005, page 825-845. Thus, Markush limitations have been added to independent claims 1, 7, and 20. Independent claim 13 has been amended and thus is now previously allowed claim 16.

Should the examiner still deem the application not in condition for allowance, the examiner is respectfully requested to make any suggestions in a telephonic interview or otherwise that may further advance prosecution in accordance with the mandate of MPEP 707.07 (j); page 700-101 8th Ed. : "When an application discloses patentable subject matter and it is apparent from the claims and applicant's arguments that the claims are intended to be directed to such patentable subject matter, ... the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and where possible, should offer a definite suggestion for correction."

Respectfully submitted



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